

# **EXHIBIT 77**

# Kia Motors America

## Consumer Affairs Department

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<u>Last name</u>	<u>First name</u>	<u>VIN of 2011 OPTIMA SX</u>	<u>Case Number</u>	<u>Mileage</u>
<b>REDACTED</b>		knagr4a6xb5 <sup>REDACTED</sup>	K2927621	86,000
Middletown, DE 19709		Prod. Date: 4/15/11	Dealer: DE008	Kia of Wilmington

Kia Case Type Lvl1: Complaint

Kia Case Type Lvl3: Exterior

Kia Case Type Lvl2: Quality

Kia Case Type Lvl4: Windshield/Rear Glass(Breakaway)

**Case History**

\*\*\* PHONE LOG 04/14/2015 12:35 PM US Mountain Standard Time WBurks

cust stated:

1. My sunroof exploded
2. Took it to the dealer
3. They said that a rock hit it
4. Is that what
5. I want to know how they can make the assumption that it was a rock
6. Nothing hit the sunroof

writer stated:

1. Apologized
2. Verified cust info
3. explained that we are not tech trained and would not be able to explained how the diag came to be unless we call the dealer DE008

cust stated:

1. Nothing hit the car
2. I did not do anything wrong
3. The dealer DE008 is blaming me

writer stated:

1. Can you hold while i cintcat the dealer DE008

cust stated:

1. Yes

writer calls dealer DE008

Customer Name **REDACTED**

Original Owner (Y or N) no

Customer phone # Same as above

Customer address Same as above

VIN knagr4a6xb5<sup>REDACTED</sup>

MY and Mileage 2011 Optima 86000 miles

Dealer Code / Selling Dealer (Y or N) DE008 / no

Able to Duplicate (Y or N) yes

RO# and Open Date 148567 4/13/15

Current Repair Issue and Diagnosis sunroof broke // looks like a rock hit it

Parts on order (Y/N), if so obtain part#, order# no

Vehicle repaired &amp; customer has possession no / no

Repeat Repair (Y/N), if so, how many times? no

Days Down at initial Service Alert report 1 day

ETA for completion of repairs unknown

Techline Case: Find by checking for previous cases none

Rental / Loaner Provided? If so, since when? yes 4/13/15

Repair History of current concern with dates and mileage \*\*\* Date, miles, Cust Concern, Resolution (if needed) none

Customer Request (if needed) that this be covered

Justification of Goodwill (must include maintenance history) na

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Dealer contacted their DPSM (if needed) no  
 If HEV vehicle, is dealer HEV certified (if needed) na  
 Dealer name unknown

writer stated:

1. Thank you for holdng
2. Took accident scripting
3. Explained will send this to another office
4. They will be contacting you in 1-3 business days

cust stated:

1. I still have the rental

writer stated:

1. Explained that will be between you and the dealer DE008
2. Provided case#

cust denied survey

writer sent Jerry DPSM FYI sending to NCA

=-----CALL TO ACTION-----

1. Cust alleges sunroof exploded
2. Car is at dealer
3. Cust is in a loaner
4. Took scripting

-----CALL TO ACTION-----

\*\*\* PHONE LOG 04/15/2015 08:46 AM Pacific Daylight Time SamuelKim Action Type:Outgoing call  
 Called customer and left message:

1. Calling in regards to a 2011 KIA Optima
2. Requested call back
3. Gave call back number

\*\*\* PHONE LOG 04/15/2015 09:41 AM Pacific Daylight Time SamuelKim Action Type:Incoming call  
 Received message from customer

1. This is REDACTED
2. I just received your message concerning the 2011 Optima
3. Give me a call back at your earliest convenience please
4. Thanks

# 1063

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\*\*\* PHONE LOG 04/15/2015 11:51 AM Pacific Daylight Time SamuelKim Action Type:Outgoing call

Called and spoke with **REDACTED**

Writer states:

1. Calling in regards to your 2011 KIA Optima
2. Is your vehicle currently still at the dealership?
3. Thank You

Customer states:

1. We dropped it off there I believe Monday morning
2. I spoke to Jordan in KIA Service, he told me he would look into it and get back to me
3. He called me Tuesday and told me maybe a stone hit it and shattered over a course of time
4. My wife told me she almost got into accident
5. It would be better if you spoke to my wife
6. Her number is **REDACTED**

\*\*\* PHONE LOG 04/15/2015 12:13 PM Pacific Daylight Time SamuelKim Action Type:Outgoing call

Called and spoke with **REDACTED**

Writer states:

1. Calling in regards to your 2011 KIA Optima

Customer states:

1. I wasn't even in the car, not even 15 minutes
2. I don't go to that part of town often
3. I was in Downingtown, Pennsylvania off of 30 headed towards 202
4. Next thing I heard was a boom
5. As I'm driving down the road, I looked in my mirror, nothing was there
6. I pulled off and veered off to the side
7. I scraped the side of the car on the guardrail, it wasn't crushed
8. I stood up and it was the biggest hole you ever saw in your life
9. I'm trying to explain it to my husband. I'm a nervous wreck
10. My husband said is it driveable? he said drive the car home
11. I told him, I'm not driving the car
12. He convinced me to drive it back home
13. I drove all the way from Pennsylvania to Delaware, it took me 2 hours

Writer states:

1. Apologized
2. Are you okay? Were you injured?
3. What did the dealership advise you?

Customer states:

1. I wasn't injured, I pulled something but I'm okay
2. The dealership stated they haven't heard anything from you guys
3. They said something must have hit the car, they didn't take responsibility of it
4. My husbands always comes in getting an oil change
5. When we brought the car in, it shattered outward
6. I would have never, ever thought of accused of something that was falling
7. I'm calling the Better Business Bureau

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8. We're prepared to pay the deductible
9. I even to spoke my Geico adjustor and I sent her the video
10. She said, ma'am you're already saying something we already know
11. We were prepaid to pay the \$1,000 deductible
12. I think at the end of the day, I think it's unfair for someone to tell me it was my fault
13. I was very annoyed
14. I care about my life, to have scraped my car on top of that
15. Jordan is a good guy, but he said Ms. Jordan we need the loaner car back
16. I'm going to fight to get my deductible back

Writer states:

1. Your vehicle is out of warranty
2. You are the second owner and CarFax is showing the vehicle was involved in a previous accident
3. If you have any further questions or concerns, you are more than welcome to contact us

Customer states:

1. I understand that, but your car is supposed to hold regardless of the warranty

\*\*\* NOTES 04/15/2015 12:17 PM Pacific Daylight Time SamuelKim Action Type:Dealer contact  
 Called dealer DE008 and spoke with Leah in the Service Department

Writer states:

1. Requested photos
2. Gave dealer email address
3. Thank You

Dealer states:

1. I'll send them your way

\*\*\* NOTES 04/17/2015 11:05 AM Pacific Daylight Time SamuelKim Action Type:Dealer contact  
 Called dealer DE008 and spoke with Leah in the Service Department

Writer states:

1. Calling to get an update on the photos
2. Please send me an email response either way
3. Thank You

Dealer states:

1. The cars no longer here, they took it out of here
2. I gotta find out who has the photos
3. What if I no longer have the photos?

\*\*\* CASE CLOSE 04/21/2015 09:41 AM Pacific Daylight Time SamuelKim

Customer is not requesting call back. Writer was waiting on photos from dealer to document case. Dealer did not provide photos.

# 1065

## Broken Sunroof Report

Case K2927621

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### Report Details

End

0 . No response selected.

1 . Name of vehicle owner:

REDACTED

2 . Address of vehicle owner:

3 . Phone number of vehicle owner:

REDACTED

4 . Name of driver:

REDACTED

5 . Address of driver:

No response selected.

6 . Phone number of driver:

No response selected.

7 . What is the age of the driver?

44 years

8 . Does the vehicle have any history of any type of impacts (e.g., collision, stone strikes, or road

No

10 . What was the date of the incident (<MM/DD/YYYY>)?

4/11/15

**1066**

11 . What time of day did the incident occur (<HH:MM> <AM/PM>)?

7:25 PM

12 . What was the weather condition (rain/sleet/hail, temperature, wind)?

clear and cool

13 . Where did the incident occur? (e.g., highway, road, garage, parking lot, etc.)

highway  
US 30 toward DE

14 . Provide name of road, highway or address:

US30

15 . What was the nearest mile market/exit name or cross-street from the incident location?

unknown

16 . What direction was the vehicle facing/heading?

unknown

17 . How fast was the vehicle moving (MPH/Stationary)?

40 mph

18 . Describe traffic conditions around you [how close was the nearest vehicle to you and what type of

no other car around

19 . What was the condition of the highway/interstate? (e.g., freshly paved, some roughness, had some

new pave pavement

22 . Was the sunroof OPEN or CLOSED at the time of the incident?

Closed

25 . Were you operating the sunroof switch at the time the glass broke?

No

**1067**

27 . Did you see and/or hear the sunroof glass break?

*Yes*

28 . Please describe what you saw or heard at the time of the breakage.

my ears became stuffy  
then the sunroof exploded  
then I pulled over

29 . Which glass panel broke? (On 2011-2013 Sorento, there are two glass panels: a moving front panel

frt panel that moves broke

30 . Was the sunshade OPEN or CLOSED at the time of the incident?

*CLOSED*

31 . Have you ever put anything on the roof of your vehicle (including items on the roof rack)?

*No*

36 . Were there any passengers inside the vehicle at the time of the incident?

*No*

37 . For each seating position, what was the age and name of who was in that position?

*No response selected.*

38 . Did anyone get glass on them at the time of the incident?

*Yes*

39 . Was anyone injured as a result of the incident?

*Yes*

40 . Who was injured? (Name, address and phone number of who was/were injured.)

*No response selected.*

41 . Was the injury from glass or any other debris?

*No response selected.*

**1068**



42. Describe the nature of the injuries.

*No response selected.*

43. Did any of the injured persons seek medical attention?

*No*

44. Were the police contacted?

*No*

49. Was the insurance company contacted?

*No*

58. Was the vehicle driven or towed following the incident?

*Driven*

59. Where is the vehicle now?

*currently at dealer*

60. Have sunroof repairs been completed, or has the broken sunroof been altered since the incident?

*no repairs*

61. What action are you requesting of Kia?

*fix the sunroof*